

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MIGUEL DECASTRO, and
WILLIAM GONZALEZ,

Defendants.

INDICTMENT

07 CRIM 916

COUNT ONE

The Grand Jury charges:

1. From on or about July 2007 to on or about August 29, 2007, in the Southern District of New York and elsewhere, MIGUEL DECASTRO, and WILLIAM GONZALEZ, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MIGUEL DECASTRO, and WILLIAM GONZALEZ, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy to effect the illegal object thereof, the following overt act, among others,

Judge McMahon

was committed in the Southern District of New York;

a. On or about August 29, 2007, MIGUEL DECASTRO, and WILLIAM GONZALEZ, the defendants, transported \$25,000 to a location in the Bronx, New York to buy cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, MIGUEL DECASTRO, and WILLIAM GONZALEZ, the defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds said defendant obtained directly or indirectly as a result of said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

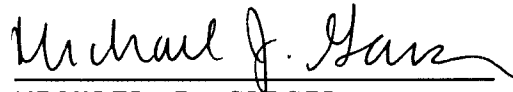
(c) has been placed beyond the jurisdiction
of the court;

(d) has been substantially diminished in
value; or

(e) has been commingled with other property
which cannot be divided without difficulty;
it is the intention of the United States, pursuant to Title 21,
United States Code, Section 853(p), to seek forfeiture of any
other property of the defendant up to the value of the above
forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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07 Cr.

(21 U.S.C. § 846.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Denise Suarez-Peña
Foreperson.

Denise Suarez-Peña

Filed indictment. Case assigned to Judge McHaleon.

SRM 9/28/07

- Francis, J.